

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-1789 (BRL)

SIPA Liquidation

(Substantively Consolidated)

**ORDER GRANTING TRUSTEE'S FIRST OMNIBUS MOTION SEEKING TO
EXPUNGE OBJECTIONS OF PARTIES THAT DID NOT FILE CLAIMS**

Upon the first omnibus motion (the “First Omnibus Motion”) [Docket No._], by Irving H. Picard, trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and the estate of Bernard L. Madoff (“Madoff”) (collectively, “Debtor”) in the above-captioned SIPA liquidation proceeding, dated April 18, 2012, seeking to have the Court expunge any and all objections filed by or on behalf of parties that did not file claims related to BLMIS accounts for which the objections were filed (“Non Claimants”), pursuant to sections 78fff-2(a)(2) and 78fff-2(a)(3) of the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. (“SIPA”),¹ Rule 3007(d) of the Federal Rules of Bankruptcy Procedure, and this Court’s order approving procedures for the filing, determination,

¹ Subsequent references to SIPA shall omit “15 U.S.C.”

and adjudication of customer claims in this proceeding [the “Claims Procedures Order”, Docket No. 12], seeking to have the Court expunge oppositions filed to the extent they were filed by or behalf of those parties that did not file claims related to BLMIS accounts for which the objections were filed, as identified in Exhibit A under the heading “*Objections to be Expunged*” (collectively, the “Non Claimant Objections”), to the extent that they were filed by Non Claimants, all as more fully described in the First Omnibus Motion and supported by the Cohen Affidavit, Exhibit B; and due and proper notice of the First Omnibus Motion having been provided to (i) the U.S. Trustee; (ii) the Securities and Exchange Commission; (iii) the Internal Revenue Service; (iv) the United States Attorney for the Southern District of New York; (v) the parties listed on Exhibit A attached to the First Omnibus Motion (and their counsel), and (vi) all other parties entitled to notice; and it appearing that no other or further notice need be provided; and the Court having found and determined that the relief sought in the First Omnibus Motion is in the best interests of the Debtor, its estate, creditors, and all parties in interest and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefore, it is

ORDERED that the relief requested in the First Omnibus Motion is granted to the extent provided herein; and it is further

ORDERED that, pursuant to sections 78fff-2(a)(2) and 78fff-2(a)(3) of SIPA, and the Claims Procedures Order, the “*Objections to be Expunged*” listed on Exhibit A annexed hereto under the heading “Non Claimant Objections”, are expunged with prejudice to the extent they relate to the parties identified on Exhibit A; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: _____, 2012
New York, New York

UNITED STATES BANKRUPTCY JUDGE

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